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Administration of justice at the United Nations

Letter dated 18 November 2003 from the President of the United Nations Administrative Tribunal addressed to the Chairman of the Fifth Committee

The General Assembly, in operative paragraph 14 of its resolution 57/307, agreed that the United Nations Administrative Tribunal should be strengthened through an amendment to its statute requiring that the candidates for the Tribunal possess judicial experience in the field of administrative law or its equivalent within their national jurisdiction, as recommended in paragraph 13, of the report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) (A/57/736), and decided to take a decision on this matter at its fifty-eighth session.

On 20 October 2003, the Sixth Committee decided to amend article 3, paragraph 1, of the statute of the Tribunal with effect from 1 January 2004, as follows:

> "The Tribunal shall be composed of seven members, no two of whom may be nationals of the same State. Members shall possess judicial or other relevant legal experience in the field of administrative law or its equivalent within their national jurisdiction. Only three members shall sit in any particular case."

ACABQ suggested in paragraph 16 of its report that, should the General Assembly accept its recommendation in paragraph 13, proposals could be made by the Secretary-General regarding compensation.

In this regard, ACABQ noted that it had been informed, upon enquiry, that the judges of the Tribunal of the International Labour Organization (ILO) received the "usual" subsistence allowances and a fee based on the number of cases dealt with annually. The judges received 1,500 Swiss francs (CHF) for each case they drafted and CHF 375 for each case at which they sat as a panel member and signed. The members of the United Nations Administrative Tribunal, on the other hand, received, in addition to travel and daily subsistence allowance expenses, an honorarium of only $1 per year.

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In view of the action suggested in the report of ACABQ, the Tribunal has requested the Secretary-General to take whatever steps he deems appropriate to provide remuneration to the members of the United Nations Administrative Tribunal equivalent to that received by the judges of the ILO Administrative Tribunal. This would also be in line with the proposals to "close the gap" between the two Tribunals.

I should be grateful if you would have the present letter circulated as a document of the General Assembly under item 128 of its agenda.

(*Signed*) Julio **Barboza**
President
United Nations Administrative Tribunal